

25-9
1. Frueh/12
2. CNSL
3. [unclear]
cc: ARW Mr.
6/21/82
-av
29.4
admin - JF
25-9
Kathy - please call [unclear] [unclear]
[unclear] - see if they need
this right away - Thank you

MISSOURI DEPARTMENT OF NATURAL RESOURCES

In the Matter of:

Litton Systems, Incorporated
Advanced Circuitry Division
4811 West Kearney
P.O. Box 2847
Springfield, MO 65803

Proceeding Under Missouri Law,
Hazardous Waste Management Law
Section 260.410, RSMo.

Order No. HW-82-002

Certified Mail No. P215289086

RECEIVED
JUN 29 1982
EPA-CNSL

NOTICE OF ORDER

TO: Mr. Ron Enos, President
Litton Systems, Incorporated
Advanced Circuitry Division
4811 West Kearney
P. O. Box 2847
Springfield, MO 65803

Pursuant to Section 260.410, RSMo., you are hereby notified that the Missouri Department of Natural Resources has issued against you on this date, the attached Order to Properly Close "Pond A". This Order is a follow-up to the Order to Cease and Eliminate Imminent Hazard, issued on March 18, 1982 under the authority of 260.420, RSMo. You are hereby notified that the Emergency Directive date, March 26, 1982, has expired and no additional wastewater may be spray irrigated.

Compliance with this Order should not be construed to preclude or limit the Department of Natural Resources' remedies under Section 260.350 through 260.430, RSMo., the Hazardous Waste Management Law.



R00337315
RCRA RECORDS CENTER

"ENFORCEMENT CONFIDENTIAL"
Determined Not Confidential
7/25/83



Rec'd CNSL 6/25/82

The Order may be appealed to the Missouri Hazardous Waste Management Commission, as provided by 260.410, RSMo., by filing a petition with said Commission within thirty (30) days from the date of this Order.

DEPARTMENT OF NATURAL RESOURCES
ORIGINAL SIGNED BY
FRED A. LAFSER

Fred A. Lafser
Director.

Dated this 17 day of June, 1982

FAL:agp

cc: Mr. Robert Schreiber, Director, Division of Environmental Quality
Mrs. Treva Hearne, Counsel for DEQ
Mr. Ed Downey, Attorney General's Office
Mr. John J. Franke, Regional Administrator, EPA, Region VII
Waste Management Program
Springfield Regional Office

MISSOURI DEPARTMENT OF NATURAL RESOURCES

In the Matter of:

Litton Systems, Incorporated
Advanced Circuitry Division
4811 West Kearney
P. O. Box 2847
Springfield, MO 65803

Proceeding Under the Missouri
Hazardous Waste Management Law,
Section 260.410, RSMo.

Order No. HW-82-002

Certified Mail No. P215289086

ORDER TO PROPERLY CLOSE POND A

Pursuant to Section 260.410, RSMo., and in follow-up to the previous Order to Cease and Correct Imminent Hazard issued on March 18, 1982 under the authority of Section 260.420, RSMo., and Emergency Directives issued under 10 CSR 25-7.011(2)(F), the Department of Natural Resources hereby makes the following Findings of Fact. The percolation lagoon used to hold wastewater and sludge from the electroplating operation is located on the property of Litton Advanced Circuitry, and is hereinafter referred to as "Pond A".

FINDINGS OF FACT

1. On or about March 17, 1982, a representative from the Department of Natural Resources observed a sinkhole 7½ feet by 8½ feet, located 27 feet east of "Pond A". Furthermore, there was considerable seepage of wastewater through the dikes of "Pond A" at that time.
2. On or about March 18, 1982, geologists from the Division of Geology and Land Survey, Department of Natural Resources, after inspecting "Pond A", reported extensive concern regarding the possible failure of the "Pond A" dikes and the possibility of further sinkhole development in and around "Pond A" -- all of which presented an imminent hazard to the environment and the health of humans. The Department of Natural Resources, therefore, issued an Order to Litton ACD to Cease and Correct Imminent Hazard. A copy is attached hereto and marked "Exhibit 1".

3. On or about March 19, 1982, the Division of Environmental Quality, of the Department of Natural Resources, issued an Emergency Directive under 10 CSR 25-7.011(2)(F), a copy of which is attached as "Exhibit 2", to Litton ACD authorizing the spray irrigation of water from "Pond A" in order to reduce the water level in "Pond A" and thereby reduce the possibility of a catastrophic failure of the "Pond A" earthen containment structure.
4. On or about March 26, 1982, the Division of Environmental Quality, of the Department of Natural Resources, issued a revised Emergency Directive under 10 CSR 25-7.011(2)(F), a copy of which is attached as "Exhibit 3", stating the hazard which would result if a new sinkhole collapse occurred within the "Pond A" dikes, in which event contaminated soil and sludge would be released into the subsurface waters. A closure plan for "Pond A" was therefore required to be submitted to the Department of Natural Resources by April 15, 1982.
5. On or about April 13, 1982, Litton ACD submitted a revised closure plan to Mr. John Franke, Regional Administrator of the U.S. Environmental Protection Agency, Region VII, with a copy sent to the Waste Management Program of the Department of Natural Resources.

WHEREFORE, PURSUANT TO SECTION 260.410, RSMo., IT IS HEREBY ORDERED:

Litton Systems, Incorporated, Advanced Circuitry Division shall, within the time limits specified, take the following action:

1. In the event Litton ADC is taking the position that the sludge from "Pond A" can be excluded from regulation pursuant to 10 CSR 25-4.010(7), a formal petition to the effect must be submitted to the Waste Management Program, of the Department of Natural Resources, by June 25, 1982. By this same date, Litton ADC must submit to EPA Headquarters a petition to exclude the sludge from "Pond A", according to 40 CFR 260.20 and 260.22.

2. Submit to the Waste Management Program of the Department of Natural Resources by July 2, 1982, a list detailing the parties who will transport or otherwise handle the disposal and/or resource recovery of the sludge from "Pond A" both in accordance with Section 260.380.1(7), RSMo., as a hazardous waste and in accordance with Section 260.225, RSMo.; and 10 CSR 80-3.010(3)(A), as a non-hazardous special industrial waste.
3. Submit to the Waste Management Program of the Department of Natural Resources by July 2, 1982 a revised closure plan with details of the following:
 - A. How removal and dewatering of the sludge from "Pond A" will be accomplished;
 - B. The depth of soil which will be removed from the bottom of "Pond A";
 - C. The total estimated quantity of dewatered sludge to be removed from "Pond A";
 - D. The sampling and analysis to be done on the soil within "Pond A" once the sludge is removed to insure that all contaminated soil is removed; and
 - E. How and where, if necessary, the sludge from "Pond A" will be stored on-site prior to final off-site disposal and/or resource recovery.
(Any on-site storage for over 90 days must be in compliance with 40 CFR 122.23.)
4. Submit to the Waste Management Program of the Department of Natural Resources by July 16, 1982 documentation both confirming and demonstrating that finalized disposal or resource recovery arrangements have been made in accordance with Section 260.380.1(7), RSMo., as a hazardous waste, and in accordance with Section 260.225, RSMo. and 10 CSR 80-3.010(3)(A), as a non-hazardous special industrial waste.

5. Remove all sludge from the bottom of "Pond A" and send written confirmation of such to the Department of Natural Resources by September 15, 1982.

DEPARTMENT OF NATURAL RESOURCES

ORIGINAL SIGNED BY
FRED A. LAFSER

Fred A. Lafser
Director

Dated this 17 day of June, 1982.

FAL:agp

cc: Mr. Robert Schreiber, Director, Division of Environmental Quality
Mrs. Treva Hearne, Counsel for DEQ
Mr. Ed Downey, Attorney General's Office
Mr. John J. Franke, Regional Administrator, EPA, Region VII
Waste Management Program
Springfield Regional Office

BEFORE THE

DEPARTMENT OF NATURAL RESOURCES

STATE OF MISSOURI

In the MATTER OF

Advanced Circuitry Division)
Litton Industries Incorporated)
Springfield, Missouri)
)
)
)

No. 82-001

ORDER TO CEASE AND CORRECT

IMMINENT HAZARD

1. Under the authority of Section 260.420 of the Revised Statutes of Missouri 1980, the Advanced Circuitry Division, Litton Industries Incorporated, its officers, agents, employees and assigns are hereby ordered to cease the hazard created by the condition of their industrial process wastewater lagoon generally and hereinafter referred to as the "A pond", and immediately correct the imminent hazard present in an environmentally safe manner approved by the Department of Natural Resources.

The imminent hazard is created by:

- a. The presence of toxic and hazardous materials in the aforementioned "A pond";
- b. The unstable condition of the "A pond" berms;
- c. The land surface at risk of contact with the escape of the large volume of liquid and sludges contained in the "A pond" is Karst topography, as evidenced by the presence of sinkholes and a recently occurring sinkhole immediately adjacent to the "A pond" berm, and;
- d. The sinkholes cause a direct connection between the land surface aforementioned and the groundwater system of the area which includes caverns and caves, springs and private drinking water supplies.

Be it known that for the reasons of the aforementioned conditions, the Department of Natural Resources declares that the Advanced Circuitry Division, Litton Industries, Inc. has created an imminent hazard which may cause serious

EXHIBIT 1

environmental harm and hereby orders such hazard to cease immediately.

Ordered this 18th day of March 1982

Fred A. Lafser

Fred A. Lafser, Director
Missouri Department of Natural Resources

Copy of the foregoing served by Certified Mail to:

Ron Enos, President
Advanced Circuitry Division
Litton Industries Incorporated
P. O. Box 2847, 4811 W. Kearney
Springfield, Missouri 65803

on this 18th day of March 1982

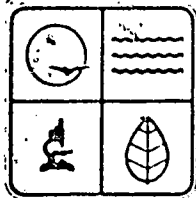
cc: Missouri Attorney General's Office
Attention: Ed Downey
Broadway Building
Jefferson City, Missouri 65101

Mr. John Nixon
Springfield Regional Office
1155 East Cherokee Street
Springfield, Missouri

✓ Waste Management Program
Missouri Department of Natural Resources
P. O. Box 176
Jefferson City, Missouri 65102

March 19, 1982

CERTIFIED MAIL P26 0335885



Mr. Ron Enos, President
Advanced Circuitry Division
Litton Industries, Inc.
P. O. Box 2847
4811 West Kerarney
Springfield, Missouri 65803

Dear Mr. Enos:

The Department of Natural Resources is issuing an emergency directive to Advanced Circuitry Division of Litton Industries, hereinafter referred to as "Litton ACD", to dispose of wastewater in an environmentally safe manner from industrial process wastewater lagoon generally and hereinafter referred to as "Pond A". This emergency directive is in conjunction with the "Order to Cease and Correct Imminent Hazard" issued under the authority of Section 260.420, RSMo., 1980. This directive, in accordance with 10 CSR 25-7.011(2)(F), will authorize Litton ACD to take the following actions:

- (1) Litton ACD shall discharge as much wastewater as possible and acceptable to the Springfield city sewer until Pond A is lowered at least three (3) feet.
- (2) As an alternate to paragraph (1) and as may be necessary to achieve desired lagoon level reductions, wastewater from Pond A shall be applied by spray irrigation on ACD property (30 acres more or less available for spray irrigation) at a rate of approximately 1/4 inch per day until Pond A level is lowered at least three (3) feet.
- (3) Wastewater shall not be applied directly to any known sinkholes on the property.
- (4) A final decision on the adequacy of lowering the level of the pond three feet will be made by the Department after that action is completed. The Department may request that additional wastewater be removed from Pond A if it is seen that three feet is not adequate to stabilize the lagoon.
- (5) Litton ACD shall hire its own geotechnical engineer experienced with dam design to evaluate the stability of the lagoon berms and the surrounding topography. Confirmation that this has been accomplished shall be provided to DNR by March 22, 1982.
- (6) Litton ACD shall report to DNR Springfield Regional Office on a daily basis advising DNR of their progress. A log of all actions taken by Litton regarding this project shall be maintained and provided DNR on a weekly basis. The Department can be reached in the event of an emergency at (314)634-2436 (24 hour number).

Christopher S. Bond Governor
Fred A. Lafser Director

Division of Environmental Quality
Robert J. Schrelber Jr., P.E. Director

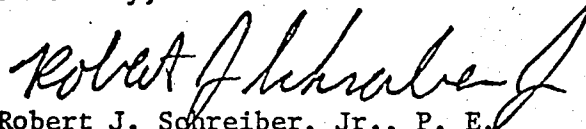
MISSOURI DEPARTMENT OF NATURAL RESOURCES
P.O. Box 1368 2010 Missouri Blvd. Jefferson City, Missouri 65102 (314) 751-3241

Mr. Ron Enos
March 19, 1982
Page 2

- (7) Litton shall not take any action not expressly specified in this directive unless prior approval is given by DNR.

This emergency directive will expire on April 4, 1982, unless the Department Director finds it necessary to terminate it sooner in order to protect human health and the environment. This directive does not preclude Litton ACD from complying with other state or federal laws and regulations.

Sincerely,

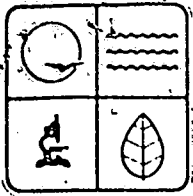

Robert J. Schreiber, Jr., P. E.
Director
Division of Environmental Quality

RJS/vlw

cc: Ed Downey, Attorney General's Office
U. S. EPA Region VII.
Water Pollution Control Program
Springfield Regional Office
Waste Management Program
Laboratory Services Program

March 26, 1982

CERTIFIED MAIL P26 0335887



RECEIVED

MAR 29 1982

Mr. Ron Enos, President
Advanced Circuitry Division, Litton Industries Inc.
P. O. Box 2847, 4811 West Kearney
Springfield, Missouri 65803

SOLID WASTE
MANAGEMENT PROGRAM

Dear Mr. Enos:

The Department of Natural Resources is hereby issuing an emergency directive to Advanced Circuitry Division of Litton Industries, hereinafter referred to as Litton ACD, in accordance with 10 CSR 25-7.011 (2) (F).

This order is effective immediately and replaces the emergency directive dated March 19, 1982.

The Department of Natural Resources is hereby advising Litton ACD that a catastrophic sinkhole collapse could occur in the bottom of Pond A at any time. If this occurs, the total contents of Pond A, including wastewater and hazardous sludge, would be discharged directly to the groundwater. To minimize the chances of this hazard occurring, Litton ACD is hereby authorized and directed to take the following actions:

- 1) Litton ACD shall discharge as much wastewater as possible and acceptable to the Springfield city sewer until all liquid portions are removed from Pond A.
- 2) As an alternate to the Paragraph (1), and as may be necessary to empty the lagoon, wastewater from Pond A shall be applied by spray irrigation on Litton ACD property (30 acres more or less available for spray irrigation) at a rate of approximately one-third inch per day.
- 3) Wastewater shall not be applied directly to any known sinkholes on the property.
- 4) Removal of the liquid portion of the lagoon reduces the danger of a catastrophic collapse of Pond A. However, hazardous sludge and contaminated soil will remain in the lagoon bottom posing a threat to groundwater if a sinkhole should develop in the lagoon bottom. For that reason, Litton ACD is hereby ordered to submit to the Waste Management Program, for approval, a revised closure plan specifically addressing removal of the sludge and contaminated soil. This plan shall include a revised timetable and shall be submitted by April 15, 1982.
- 5) Litton ACD shall report to DNR Springfield Regional Office on a daily basis advising DNR of their progress. A log of all actions taken by Litton regarding this project shall be maintained and provided DNR on a weekly basis.

Christopher S. Bond Governor
Fred A. Lafser Director

Division of Environmental Quality
Robert J. Schreiber, Jr., P.E. Director

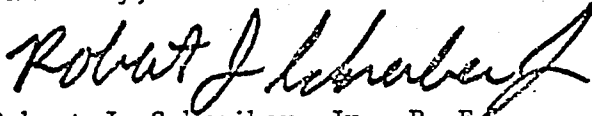
MISSOURI DEPARTMENT OF NATURAL RESOURCES
P.O. Box 1368 2010 Missouri Blvd. Jefferson City, Missouri 65102 (314) 751-3241

Ron Enos
March 26, 1982
Page 2

- 6) Litton shall not take any action not expressly specified in this directive unless prior approval is given by DNR. The Department can be reached in the event of an emergency at (314)634-2436 (24 hour number).

This emergency directive will expire on April 30, 1982 unless the Department of Natural Resources finds it necessary to terminate it sooner in order to protect human health or the environment. This directive does not preclude Litton ACD from complying with other state or federal laws and regulations.

Sincerely,



Robert J. Schreiber, Jr., P. E.
Director
Division of Environmental Quality

RJS/vlw

cc: Ed Downey, Attorney General's Office
U. S. Environmental Protection Agency, Region VII
Water Pollution Control Program
Springfield Regional Office
✓ Waste Management Program
Laboratory Services Program